



# BEST AVAILABLE COPY

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ROSE McKINNEY & EVANS LLP

Customer No. 25267

2700 First Indiana Plaza  
135 North Pennsylvania Street  
Indianapolis, Indiana 46204

## ISSUED PATENT

### *IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*

Group: 2632 }  
Atty. Docket: 8266-0722 }  
Applicant: CHACO, John }  
Title: INFANT MONITORING SYSTEM }  
AND METHOD }  
Serial No.: 09/960,429 }  
Filed: September 21, 2001 }  
Examiner: Pope, Daryl C. }

#### Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

on November 18, 2005

Cynthia M. White

### STATUS INQUIRY AND REQUEST FOR SUPPLEMENTAL NOTICE OF ALLOWABILITY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

More than six months have passed since the Applicants paid the issue fee (on March 17, 2005) in this case, and the patent has not yet issued.

Formal Drawings were submitted in this application on January 31, 2002. A Notice of Allowance was mailed on December 22, 2004. The enclosed Notice of Allowability indicated that the drawings were accepted by the Examiner. On January 4, 2005, Applicants requested that the Examiner provide an indication that the references cited in the Information Disclosure Statement filed November 2, 2001 (IDS) had been considered. The IDS was resubmitted at that time. Applicants received an initialed IDS from the Examiner on March 17, 2005. Applicants received a Notice Regarding Drawings mailed March 15, 2005, which indicated that the drawings received September 21, 2001 were not acceptable (even though Applicants had submitted formal drawings on January 31, 2002). Applicants paid the issue fee on March 17, 2005, and re-submitted the previously submitted formal drawings on March 23, 2005. To date, the application has not yet issued.

On November 15, 2005, Applicants called the USPTO Publications Branch, which indicated that the application was in the File Maintenance Facility waiting on action by the Examiner.

A complete copy of the 02 November 2001, 31 January 2002, 17 March 2005, and 23 March 2005, filings, along with the USPTO date-stamped received postcard receipts are attached for your reference.

Accordingly, Applicants respectfully request that the Examiner issue a Supplemental Notice of Allowance confirming that the IDS has been considered and the formal drawings have been approved.

Respectfully submitted,  
BOSE McKINNEY & EVANS LLP



Christine E.M. Orich  
Reg. No. 44,987

CMO:cmw  
Indianapolis, Indiana  
(317) 684-5223

Enclosures

663317\_1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

12/22/2004

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Intellectual Property Group  
Bose McKinney & Evans LLP  
2700 First Indiana Plaza  
135 North Pennsylvania Street  
Indianapolis, IN 46204



DEC 27 2004

BOSE MCKINNEY &amp; EVANS

EXAMINER

POPE, DARYL C

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 12/22/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,429	09/21/2001	John Chaco	8266-0722	6637

TITLE OF INVENTION: INFANT MONITORING SYSTEM AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	03/22/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

## HOW TO REPLY TO THIS NOTICE:

## I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,429	09/21/2001	John Chaco	8266-0722	6637
7590	12/22/2004			EXAMINER
Intellectual Property Group Bose McKinney & Evans LLP 2700 First Indiana Plaza 135 North Pennsylvania Street Indianapolis, IN 46204				POPE, DARYL C
				ART UNIT
				PAPER NUMBER
				2632
DATE MAILED: 12/22/2004				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/960,429	CHACO, JOHN	
	Examiner DARYL C POPE	Art Unit 2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment filed 9/13/04.
2.  The allowed claim(s) is/are 21-43.
3.  The drawings filed on 21 September 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

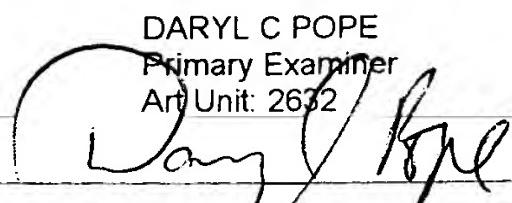
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

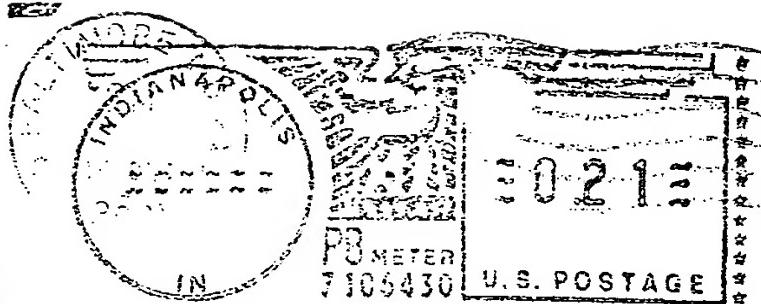
- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                 | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____. | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material           | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

DARYL C POPE  
Primary Examiner  
Art Unit: 2632  


**RECEIVED**

DEC 15 2001

**BOSE MCKINNEY & EVANS**



**Robert D. Null  
Bose McKinney & Evans  
135 N. Pennsylvania Street  
2700 First Indiana Plaza  
Indianapolis, Indiana 46204**

46204-3426      [REDACTED]



Mailed: November 2, 2001  
Applicant: Chaco  
Title: INFANT MONITORING SYSTEM AND METHOD  
Filed: September 21, 2001  
Serial No.: 09/960,429  
Attorney Docket: 8266-0722

Information Disclosure Statement (in duplicate)  
 PTO 1449  
 46 Cited References



THE STAMP OF THE UNITED STATES PATENT OFFICE HEREON  
INDICATES RECEIPT OF THE ABOVE-LISTED PAPERS.

RDN\ajw

Mailed: November 2, 2001  
Applicant: Chaco  
Title: INFANT MONITORING SYSTEM AND METHOD  
Filed: September 21, 2001  
Serial No.: 09/960,429  
Attorney Docket: 8266-0722

X Information Disclosure Statement (in duplicate)  
X PTO 1449  
X 46 Cited References

THE STAMP OF THE UNITED STATES PATENT OFFICE HEREON  
INDICATES RECEIPT OF THE ABOVE-LISTED PAPERS.

RDM\ajw



**BOSE McKINNEY & EVANS LLP**

2700 First Indiana Plaza  
135 North Pennsylvania Street  
Indianapolis, Indiana 46204

**PATENT APPLICATION**

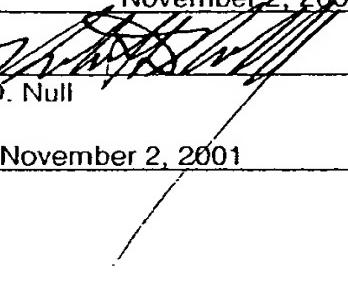
***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Atty. Docket: 8266-0722 }  
Applicant: Chaco }  
Invention: INFANT MONITORING }  
SYSTEM AND METHOD }  
Serial No.: 09/960,429 }  
Filed: September 21, 2001 }  
Group: 2632 }

**Certificate Under 37 C.F.R. 1.8(a)**

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

On November 2, 2001

  
Robert D. Null

Dated: November 2, 2001

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This statement is filed in the application identified above pursuant to 37 CFR §§ 1.56, 1.97 and 1.98. Applicant calls attention to the art references within the knowledge of applicant and its attorney which are listed on the attached PTO Form 1449. No representation is intended that a complete search has been made or that no better art references are available. The filing of this statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to the patentability as defined in 1.56(b).

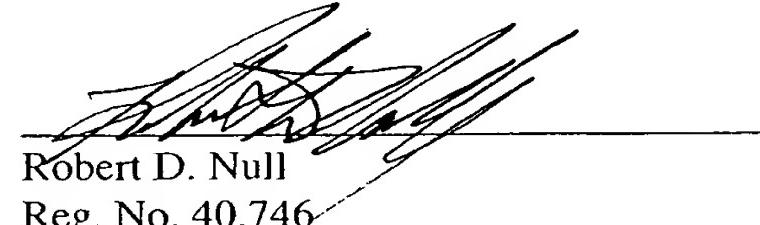
**REMARKS**

None of the art cited on the attached PTO Form 1449 is believed to disclose or suggest the invention recited in the claims of the above-identified application. It is therefore believed that the claimed invention is patentably distinguishable over these references.

Please charge any fees that might be due in connection with this Information Disclosure Statement to Bose McKinney & Evans LLP's Deposit Account No. 02-3223. An extra copy of this Information Disclosure Statement is enclosed for that purpose.

Respectfully submitted,

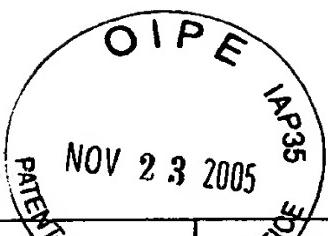
BOSE McKINNEY & EVANS LLP



Robert D. Null  
Reg. No. 40,746

Indianapolis, Indiana  
(317) 684-5000

ODMAMHODMAVDTI;365540:1



Sheet 1 of 5

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 8266-0722	SERIAL NO. 09/960,429
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		APPLICANT Chaco	
		FILING DATE September 21, 2001	GROUP 2632

#### U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPLICABLE
	AA	4,853,692	8/1/89	Wolk et al.			
	AB	5,691,980	11/25/97	Welles, II et al.			
	AC	5,588,005	12/24/96	Ali et al.			
	AD	5,682,139	10/28/97	Pradeep et al.			
	AE	5,686,888	11/11/97	Welles, II et al.			
	AF	5,006,830	4/9/91	Merritt			
	AG	5,461,390	10/24/95	Hoshen			
	AH	5,396,227	3/7/95	Carroll et al.			
	AI	5,635,907	6/3/97	Bernard et al.			
	AJ	5,705,980	1/6/98	Shapiro			
	AK	5,812,056	9/22/98	Law			

#### FOREIGN PATENT DOCUMENTS

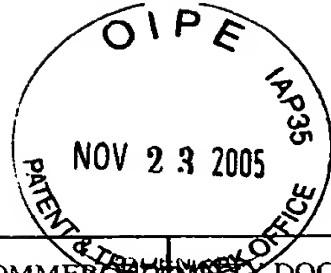
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	AL							
	AM							
	AN							
	AO						X	
	AP							
	AQ							

#### OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR							
	AS							
	AT							

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		DOCKET NO. 8266-0722	SERIAL NO. 09/960,429
INFORMATION DISCLOSURE STATEMENT <i>(Use several sheets if necessary)</i>		APPLICANT Chaco	
		FILING DATE September 21, 2001	GROUP 2632

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPLICABLE
	BA	4,279,433	7/21/81	Petaja			
	BB	4,899,135	2/6/90	Ghaharian			
	BC	5,455,560	10/3/95	Owen			
	BD	4,833,452	5/23/89	Currier			
	BE	4,495,496	1/22/85	Miller, III			
	BF	4,495,495	1/22/85	Ormanns et al.			
	BG	5,086,290	2/4/92	Murray et al.			
	BH	5,455,851	10/3/95	Chaco et al.			
	BI	5,396,224	3/7/95	Dukes et al.			
	BJ	5,475,367	12/12/95	Prevost			
	BK	5,357,254	10/18/94	Kah, Jr.			

## FOREIGN PATENT DOCUMENTS

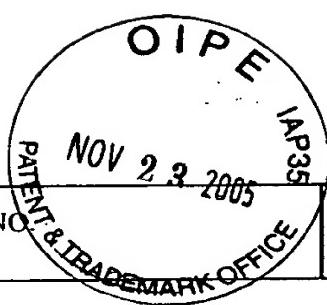
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	BL							
	BM							
	BN							
	BO						X	
	BP							
	BQ							

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	BR							
	BS							
	BT							

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 8266-0722	SERIAL NO. 09/960,429
INFORMATION DISCLOSURE STATEMENT <i>(Use several sheets if necessary)</i>		APPLICANT Chaco			
		FILING DATE September 21, 2001		GROUP 2632	

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPLICABLE
	CA	5,568,119	10/22/96	Schipper et al.			
	CB	5,515,426	5/7/96	Yacenda et al.			
	CC	5,062,151	10/29/91	Shipley			
	CD	5,621,388	4/15/97	Sherburne et al.			
	CE	5,650,770	7/22/97	Schlager et al.			
	CF	5,689,229	11/18/97	Chaco et al.			
	CG	5,708,421	1/13/98	Boyd			
	CH	5,686,902	11/11/97	Reis et al.			
	CI	5,751,246	5/12/98	Hertel			
	CJ	5,808,564	9/15/98	Simms et al.			
	CK	5,731,757	3/24/98	Layson, Jr.			

## FOREIGN PATENT DOCUMENTS

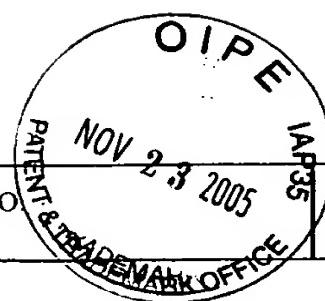
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	CM							
	CN							
	CO						X	
	CP							
	CQ							

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	CR							
	CS							
	CT							

EXAMINER	DATE CONSIDERED
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FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO 8266-0722	SERIAL NO. 09/960,429
INFORMATION DISCLOSURE STATEMENT <i>(Use several sheets if necessary)</i>		APPLICANT Chaco			
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## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPLICABLE
	DA	5,793,290	8/11/98	Eagleson et al.			
	DB	4,593,273	6/3/86	Narcisse			
	DC	5,636,245	6/3/97	Ernst et al.			
	DD	4,814,751	3/21/89	Hawkins et al.			
	DE	5,548,637	8/20/96	Heller et al.			
	DF	5,266,944	11/30/93	Carroll et al.			
	DG	5,822,544	10/13/98	Chaco et al.			
	DH	5,760,704	6/2/98	Barton et al.			
	DI	5,650,769	7/22/97	Campana, Jr.			
	DJ	6,259,355	7/10/01	Chaco et al.			
	DK	5,594,786	1/14/97	Chaco et al.			

## FOREIGN PATENT DOCUMENTS

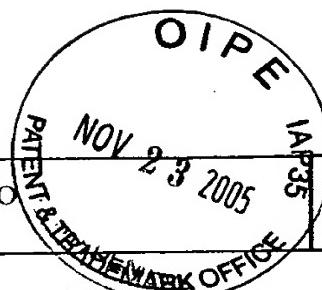
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							YES	NO
	DL							
	DM							
	DN							
	DO						X	
	DP							
	DQ							

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	DR		
	DS		
	DT		

EXAMINER	DATE CONSIDERED
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		FILING DATE September 21, 2001		GROUP 2632	

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPLICABLE
	EA	5,465,082	11/7/95	Chaco et al.			
	EB	5,291,399	3/1/94	Chaco et al.			
	EC						
	ED						
	EE						
	EF						
	EG						
	EH						
	EI						
	EJ						
	EK						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	EL							
	EM							
	EN							
	EO							X
	EP							
	EQ							

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	ER						
	ES						
	ET						

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

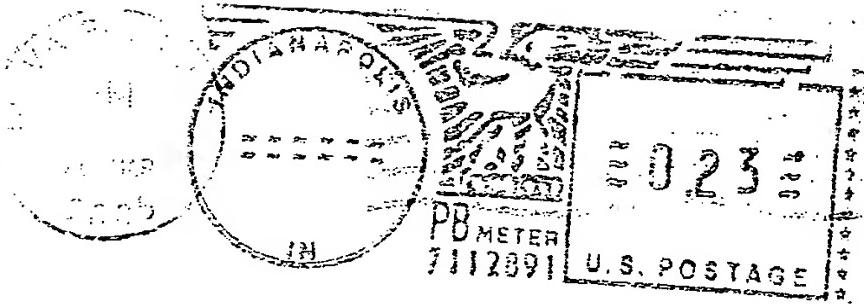


Mailed: January 31, 2002  
Applicants: Chaco  
Title: INFANT MONITORING SYSTEM AND METHOD  
Serial No.: 09/960,429  
Filed: September 21, 2001  
Atty. Docket: 8266-0722

X Formal Drawings (11 sheets)  
X Letter to Official Draftsman

The stamp of the Patent and Trademark Office hereon indicates receipt of the above-identified document.

RDN:kyb



Christine E. M. Orich  
Bose McKinney & Evans LLP  
135 N. Pennsylvania Street  
2700 First Indiana Plaza  
Indianapolis, Indiana 46204

RECEIVED  
U.S. PATENT AND TRADEMARK OFFICE  
MAR 2 1 2005

Mailed: March 17, 2005

Applicant: Chaco

Title: INFANT MONITORING SYSTEM AND METHOD

Serial No.: 09/960,429

Filed: September 21, 2001

Attorney Docket: 8266-0722

- Part B--Issue Fee Transmittal (in duplicate)  
 Check in the amount of \$1,700.00



The stamp of the United States Patent and Trademark Office hereon indicates receipt of the above documents.

CMO:kyb

kyb



Mailed: March 17, 2005  
Applicant: Chaco  
Title: INFANT MONITORING SYSTEM AND METHOD  
Serial No.: 09/960,429  
Filed: September 21, 2001  
Attorney Docket: 8266-0722

- Part B--Issue Fee Transmittal (in duplicate)  
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Complete and send this form, together with the appropriate fee(s), to:

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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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12/22/2004

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Bose McKinney & Evans LLP  
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### Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Christine E. M. Orich	(Depositor's name)
March 17, 2005	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,429	09/21/2001	John Chaco	8266-0722	6637

TITLE OF INVENTION: INFANT MONITORING SYSTEM AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	03/22/2005
EXAMINER	ART UNIT	CLASS-SUBCLASS			
POPE, DARYL C	2632	340-573100			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Bose McKinney & Evans LLP

2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Hill-Rom Services, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Wilmington, Delaware

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are enclosed:

- Issue Fee  
 Publication Fee (No small entity discount permitted)  
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4b. Payment of Fee(s):

- A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 02-3223 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Christine E. M. Orich

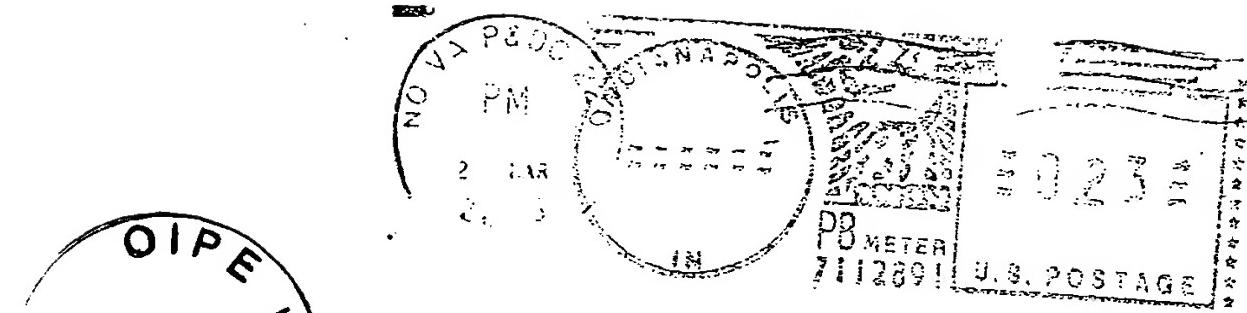
Typed or printed name Christine E. M. Orich

Date March 17, 2005

Registration No. 44,987

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Brion G. St. Amour  
Bose McKinney & Evans LLP  
135 N. Pennsylvania Street  
2700 First Indiana Plaza  
Indianapolis, Indiana 46204



Mailed: March 23, 2005  
Applicant: Chaco  
Title: INFANT MONITORING SYSTEM AND METHOD  
Serial No.: 09/960,429  
Filed: September 21, 2001  
Attorney Docket: 8266-0722

- Letter to Official Draftsman  
 Copy of Notice Regarding Drawings  
 Formal Drawings (11 sheets)  
 Copy of USPTO filing dated January 31, 2002



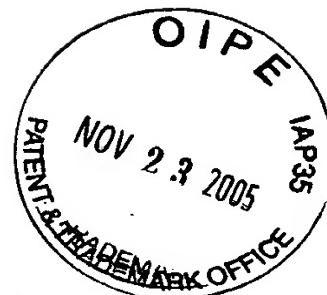
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Mailed: March 23, 2005  
Applicant: Chaco  
Title: INFANT MONITORING SYSTEM AND METHOD  
Serial No.: 09/960,429  
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 Copy of USPTO filing dated January 31, 2002

The stamp of the United States Patent and Trademark Office hereon indicates receipt of the above documents.



BGS:kyb

W

PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 2632

Atty. Docket: 8266-0722

Applicants: Chaco, John

Invention: INFANT MONITORING SYSTEM  
AND METHOD

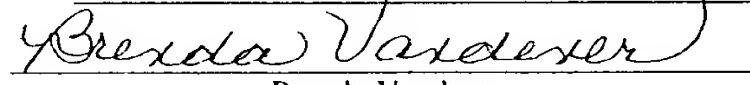
Serial No.: 09/960,429

Filed: September 21, 2001

Examiner: Examiner Wu

Certificate Under 37 C.F.R. § 1.8(a)

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on March 23, 2005

Brenda Vandever

Dated: March 23, 2005

LETTER TO OFFICIAL DRAFTSMAN

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice Regarding Drawings mailed March 15, 2005 (copy attached for your reference), Applicant submits herewith new formal drawings, Figs. 1-9 for the above-identified application meeting the requirements of 37 CFR Section 1.84. These formal drawings were previously filed with the Commissioner for Patents on January 31, 2002, as evidenced by the attached filing which includes a Certificate of Mailing Under 37 CFR 1.8(a) dated January 31, 2002.

If the Draftsman has any questions regarding the drawings, please contact applicant's undersigned attorney, at (317) 684-5000.

Respectfully submitted,

BOSE McKINNEY & EVANS LLP

  
Brion G. St. Amour  
Registration No.: 55,640

Indianapolis, Indiana

(317) 684-5416

608342\_1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER  
**09/960429**

FILING/RECEIPT DATE  
**09/21/2001**

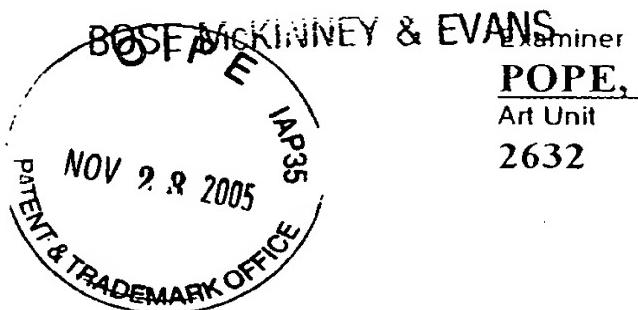
FIRST NAMES APPLICANT  
**CHACO, JOHN**

ATTORNEY DOCKET NUMBER  
**8266-0722**

**RECEIVED**

MAR 18 2005

Intellectual Property Group  
Bose McKinney & Evans LLP  
2700 First Indiana Plaza  
135 North Pennsylvania Street  
Indianapolis IN 462



**POPE, DARYL**  
Examiner  
Art Unit  
2632

Date Mailed: 03/15/2005

## Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on 09/21/2001 are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

*Son Lai*

**RETURN CORRECTED DRAWINGS TO:**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**

Docketed By: *Kab*  
Date: *3/18/05*



Mailed: January 31, 2002  
Applicants: Chaco  
Title: INFANT MONITORING SYSTEM AND METHOD  
Serial No.: 09/960,429  
Filed: September 21, 2001  
Atty. Docket: 8266-0722

Formal Drawings (11 sheets)  
 Letter to Official Draftsman

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RDN:kyb

PATENT APPLICATION

25267  
PATENT TRADEMARK OFFICE

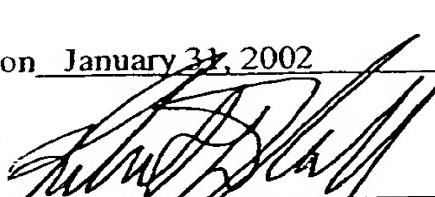
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>Group:</i>	2632	}
		}
<i>Atty. Docket:</i>	8266-0722	}
		}
<i>Applicants:</i>	Chaco	}
		}
<i>Invention:</i>	INFANT MONITORING SYSTEM AND METHOD	}
		}
<i>Serial No.:</i>	09/960,429	}
		}
<i>Filed:</i>	September 21, 2001	}
		}
<i>Examiner:</i>	Unknown	}

Certificate Under 37 CFR 1.8(a)

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on January 31, 2002

  
Robert D. Null

Dated: January 31, 2002

LETTER TO OFFICIAL DRAFTSMAN

Commissioner for Patents  
Washington, D.C. 20231

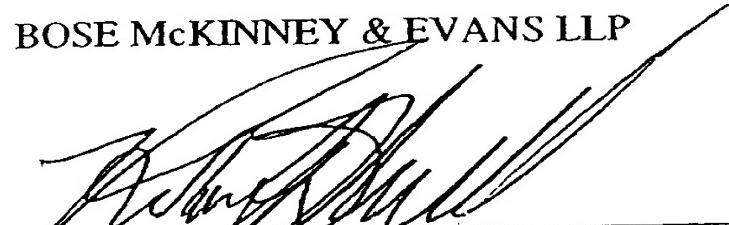
Dear Sir:

Applicants submit herewith formal drawings for the above-identified application meeting the requirements of 37 CFR Section 1.84.

If the Draftsman has any questions regarding the drawings, please contact applicants' undersigned attorney, at (317) 684-5251.

Respectfully submitted,

BOSE McKINNEY & EVANS LLP

  
Robert E. Null  
Reg. No. 40,746

RDN:kyb  
Indianapolis, Indiana  
(317) 684-5251  
ODMAVMHODMAADT1;268510;1

PATENT APPLICATION

25267

PATENT TRADEMARK OFFICE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 2632

Atty. Docket: 8266-0722

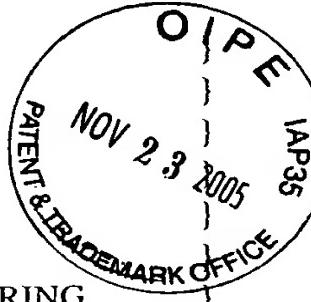
Applicants: Chaco

Invention: INFANT MONITORING  
SYSTEM AND METHOD

Serial No.: 09/960,429

Filed: September 21, 2001

Examiner: Unknown

Certificate Under 37 CFR 1.8(a)

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on January 31, 2002

Robert D. Null

Dated: January 31, 2002LETTER TO OFFICIAL DRAFTSMAN

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

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If the Draftsman has any questions regarding the drawings, please contact applicants' undersigned attorney, at (317) 684-5251.

Respectfully submitted,

BOSE McKINNEY &amp; EVANS LLP

  
 Robert E. Null  
 Reg. No. 40,746

RDN:kby  
 Indianapolis, Indiana  
 (317) 684-5251  
 ::ODMAMHODMA\DT1:268510:1